THE EX-CHIEF OF THE TUSCARORAS

AGAIN ON THE WARPATH,

THE SUIT SHE BROUGHT AGAINST THE CENTRAL R. R. AFTER THEIR LOSS.

Claiming that Family Laces to the Value of Between Albany and Stagara Falls, and Finally Recovering \$10,000 in Damages Through a Decision of the Supreme Court.

In the autumn of 1869 Mme. Olga de Mamts Frajoff, adopted daughter of the Princess Manzireff, to whose titles and estates she was he beir, and wife of Col, Michel de Maluta Praoff, an officer in the Russian army, came to this country in search of health. While on her way from Albany to Niagara in November of that year, a trunk belonging to her was found broken open when it reached the New York Central tailroad station at Niagara Falls, and Mme. Praioff, on examination, claimed that laces to the value of \$300,000 had been taken from the trunk, besides papers and other articles of

Mme. Fraloff, through James W. Gerard of the firm of Platt, Gerard & Buckley, brought suit against the Central Railroad for the loss of the laces, claiming \$75,000 damages. The first trial resulted in a disagreement of the jury. At the second trial, before Judge Wallace, in the United States Circuit Court in this city, the jury gave Mme, Fraloff a verdict of \$10,000. This as in January, 1875. The case was appealed to the United States Supreme Court in Washington, and on the 3d of the present month the court affirmed the yerdiet rendered in 1875. case excited very great interest when first before the public, but during its later progress has dropped out of public attention, and only a bare mention of the recent decision was made

in the New York newspapers.

After the disagreement of the jury at the first trial Mmc. Fraioff returned to Europe, and has since been in Africa, visiting while there the mean time, and Mme. Fraioff is now believed to be living on her estates in Russia. She has been an indefatigable traveller, and is well known in all the large capitals of Europe. No trace has ever been obtained of the lost laces, although a vigilant watch has been maintained at all points where they would be likely to be offered for sale.

It was after an extended journey through Europe, Asia, and Africa that Mme, Fraioff visited America in 1869 for the double purpose of benefitting her health and seeing this continent. She brought with her, as shown by evidence in the course of the trial, six trunks of ordinary travel-worn appearance containing a large quantity of wearing apparel, including many costly dresses, and also rare and valuable laces. Some of these laces were made upon the estates of her ancestors in Russia. Of the fineness and beauty of these laces the ordinary admirer of hee can form no idea. The specimens left by the thief or thieves who abstracted the principal parts of the sets from her trunk were exhibited in the caurt room by her lawyer. They were finer than the most exquisite d'Alendon or round point ever seen or handled by the writer of this article, who has critically examined under powerful lenses all of the most celebrated pieces of lace brought to this country within the last twelve years, including the remarkable specimens brought by the Beigian manufacturer. M. Honiex, to this country soon after the Franco-German war, and which are now the chief ornaments of the lace department of A. T. Stewart & Co., and generally known as the laces of the ex-Empress Eugenie. After remaining some weaks in New York city Mme, Fraioff started upon a pourney westward, going first to Allaury and taking, among other things, two of the irunks she had brought to this country. Her ultimate ourpose was to visit a warmer climate. She intended to so first to Chicago, stepping at Nazara on her way, and expected to decide upon her arrival in Chicago whether to visit California or New Orienns on her way probably to Rio Janeiro, As to her visit to this last manuel city, she was uncertain, having heard that there was an insect in Rio that attacked and destroyed laces in the same way that moths do fure and woollens. Unon arriving at Nazara falls Mme, Fraioff ascertained that one of her trunks, the one containing the greater part of her laces, and been broken open. She had left \$20,000 worth, according to her estimate, in New York. The locks of the trunk, when it was Laken from the baggage car at Nazara falls Mme, Fraioff ascertained by the Hom. James W. Gerard for Mme, Fraioff was to recover such damages as he believed might be piaced by the Jury upon the loss of the property, although Mme, Fraioff herseld estimated the loss of the W. Gerard for Mme, Fr laces. Some of these laces were made upon the estates of her ancestors in Russia. Of the fine-

James W. Gerard for Mine. Fraioff was to regover such damages as he believed might be
placed by the jury quantile loss of the property,
although Mine. Fraioff herself estimated the
loss at over three times that sum—the loss of
the laces to her, from various reasons, being
practically irreparable.

Upon the first trial of the case in 1873, when
the jury were unable to agree, it was maintained by the parties in interest that the value
of lace was but poorly understood at that day,
even by halless of high social position in Amerien who could afford to wear very handsome
pieces. An important witness in this trial, as
well as well as in the subsequent one in 1875,
when the well-known lace artist and expert,
Mine. Carter of this city, originally a Houlton
lace worker of Devonshire, England. Her depositions were considered of great weight on beg who contributed to the control of the control and the next decided as well as in the subsequent one in 1875.

What he worker of Devonshire, England, Herder to the control of Devonshire, England, Herder to the control of the con

Russia—of the princes of Tartary. I am the adopted daughter of the Princess Manziroff, my aunt, now dead. Inherited her name, title, estates, and possessions; also those of three other aunts and of my grandmother. I came to this country by the advice of my physician. Dr. Greyfreth of London. I had previously visited every capital in Europe, and had also travelied in Asia and Africa. I was threatened with a loss of syesight from nervous debility, and was advised by my physicians to travel and take long voyages, and seek a complete change of seene; purticularly was I recommended in London to come to America. I first intended to go to South America and Rio Janeiro; but was told that there was an insect in Rio that destroyed laces, so I determined to sail to New York. I always have my laces with me to wear on occasions of ambassadors' dinners, court receptions, balls, to the opera, and on visits of ceremony. I wear them on all these occasions, which may seem strange to you, but as a matter of course to me. They so with me wherever I travel.

"These laces were inherited by me from my grandmother and four aunts. They were all antiques. None were of a pattern or mesh now made. They were from two to two and a half centuries old. I always pack and unpack them myself. I pracked them myself before I quitted New York for Niagara. I took only a part of my baggare with me, leaving the rest at Mrs. Horn's, where I had taken rooms. They were to be sent to me as soon as I should arrive in Chienge. I did not know where I should go from that city. This may seem strange to you, but not to me. I do not know where I may fancy to go when I leave one city for mother. I had read of the prairies of the great West, of the birds and forests and flowers of America.

"I jett six of my trunks in London and brought six with me. I had many valuables besides my jetes and men was and travelling gloves." I wore my laces have a same nertainment given in London by Count Gluchen, a cousin of Queen Victoria. I also were them while there to operas. I

Cone night, at a court reception in St. Petersburg, the Empress said to me, Madame Fraion, you have the ories of a kind-dom on your perfect of the ories of a kind-dom on your perfect of the price of a kind-dom on your perfect of the perfect of th

versed were voluminous. He claimed that the evidence of the delivery of the laces in the trunks of Mme. Fraloff was insufficient in law, because the proof that the laces were in the trunks at New York was no proof that they still remained there when Mme. Fraloff arrived at Albany, where the trunks were a day and a half and two nights, unguarded, in the barroom of the Delavan House. Mr. Shepard elaimed that Mme. Fraloff was guily of unfair dealing amounting to fraud in not giving notice of her pretensions to hish rank, or that she had delivered to the baggaze master such unsual, rare, extremely precious, and extraordinarily valuable things, worth more than \$150,000, hidden in a very small space among her ordinary baggage, in her ordinary looking trank. This some-saluent of her rank and of the value of the goods. Mr. Shepard claimed, prevented the railroad company from charging a proper sum for freight, and also from exercising that extraordinary care that would have naturally been used if the articles had been known to be so valuable. Another point redied upon by Mr. Shepard was that there was no contract to carry baggage of such produgious value; "that the railroad law of New York provides for the carriage of ordinary baggage only, which these priceless colwebs, these beirlooms, more valuable than gold or gems, and like nothing ever seen in this country before or since are not." Another point made by Mr. Shepard was that carriers are liable for ordinary baggage only in molerate quantities, such as is usually taken by travellers; but that Mme. Fraloff had sued for extraordinary articles in immolerate quantities, such as is usually taken by travellers for the personal use and convenience." Upon this point Mr. Shepard quoted the following: "The railroad company is a common ourrier. It cannot know the station is life and the object and lengthy taken by travellers for the personal use and convenience," Upon this point Mr. Shepard quoted the following: The railroad company is a common ourrier, it cannot know the stat First of controlled regions and the incoming of the control of the

relative, on purely demestic matters. Another of the letters addressed to him, and stopped in the mails, was the following:

Dean Sin: I have about \$100 Spanish gold, for which I desire United States money in exchange. Will you

Deas size I have about \$100 Spanish gold, for which I desire United States money in exchange Will you please inform me at once it you will exchange it as I cannot get it on this side of the water.

Very truly yours.

This letter was registered in the Brooklyn Post Office, and stamps to the value of thirteen cents were affixed. It was returned to Mr. Whiting endorsed conspicuously in blue: "Fraudulent; delivery prohibited by order of the Postmaster-General."

Mr. Whiting says that he never had any lottery dealings with Mr. Duff, and he is indignant at the brand on his letter, which, he says, was returned to him in the presence of a client. He has sued Postmaster James for \$2,500 damages for ible. It was suggested to Mr. Whiting that possibly the letter was prepared with the express purpose of catching the Post Office Department in wrongfully detaining the letter. Mr. Whiting said that it was a bona fide transaction, and that he lett personally aggreeved. He said that he was acquainted with Mr. Duff.

Postmaster James said that he was simply obeying orders in stopping the letters, and he knew nothing of the evidence against Mr. Duff. He was satisfied that Mr. Whiting was Mr. Duff's lawyer, and had "put up a job" on the Post Office Department.

DANIEL BERRIEN'S WILL.

The Testimony of a Witness as Regards Morn ing Cocktails.

The contest over the will of Daniel Berrien was renewed, yesterday. Mr. Berrien was a friend of William M. Tweed, and was known as the Ring's brushmaker. He left much of his property to Mrs. Josephine Steele of Staten Island and her daughters. Members of his family are contesting his will, alleging that he was so much under the influence of spirituous

so much under the influence of spirituous liquor that he was incompetent to make a will, and that he was unduly influenced by Mrs. Stock. The contestant's testimony has been given. Most of it related to Mr. Berrien's use of liquor.

The testimony, yesterday, was for the will. Thomas E. Spears of Statin Island was the main witness. I often went fishing with Mr. Berrien, he said. "We had very few bites, but we had a good many nips." The witness said that he never saw Mr. Berrien intoxicated in the morning, but he had seen him under the influence of liquor in the afternoon. "Mr. Berrien sometimes took a cocktail in the morning." the witness continued. "The fact of it is that a lot of fellows got around Mr. Berrien in the city and filled him up every day, and made him spend his money. He paid more for rum in a week than the rest of the company spent in six months." The winness added: I myself occasionally drink a cocktail in the morning, but I would not recommend it as a steady habit."

Ripe Apples. Apples red and apples fair; See them lying here and there, In the market, on the stand,

Everywhere throughout the land. How the children love to eat Apples ripe and rosy ! There they come with merry shout Lads and lassies; school is out. With his penny little Ned Buys an apple round and red;

Rogueish Neddy loves so well Apples ripe and rosy. In the orchard, on the hill, In the cellar, in the mill, Apples red and apples fair, Pippins, Baldwins everywhere Country children love so well

Apples ripe and rosy,

Even Dobbin, faithful beast-Sniffs the air, pricks up his ears When the rosy fruit appears. Well he knows he'll get his share, Apples ripe and rosy. Hearths are glowing; winter's near-

Father, mother, children all

Love the wholesome trust of fall. Heaven bless and multiply

HARRISDURG, Pa., Nov. 29.—At this morning's session of the court built was renewed by William II.

Kemble and Charles B. Salter in the sum of \$4,000, and by Messrs, Petroff, Long Letterning, and McCone in the sum of \$1,000, for their appearance at the January term to answer the charge of corrupt soficitation.

HASKIN AND O'CALLAGHAN

Lurid Narrotive of the Tammany Indian's Treachery Showing How he Siew the Ex-Chief in Ambush—Talk in the Big Wigwam. The Tammany Committee on Discipline ontinued, last evening, their investigation of the charges of disloyalty and treachery to the organization made by John B. Haskin, the ex-Tuscarora chief, against Thomas O'Callaghan, the Tammany brave who rules the Tammany oters in the "goat" district. Mr. O'Callaghan's friends were on hand early, and took all the seats on the north side of the great Council Chamber in the big wigwam. The men who were summoned to substantiate the charges pecupied the other side of the room. Mr. O'-Callaghan sat with his counsel at the Commit tee's table. Hugh J. Grant and B. H. Malone appeared for Mr. O'Callaghan's accuser. They aid that the ex-Tuscarors chief would not appear in person to prosecute his charges, and

proclaimed treachery to him in voting against him and for me was as infamous toward him as was his conduct in taking my assessment money from the hands of Mr. Kelly in your committee room, assuring him at the time that he would use it and work for my election, and then using it, as I have cause to believe, for my defeat and the election of his legislative partner. My complaint is that O'Callaghan, if honest, should have resigned from your Committee and openly supported Ecclesine, and the district given to Mr. McEvoy or some other honorable man and loyal Democrat, so that the Eleventh Senatorial District might have been saved to the Democracy.

In our State canyass, Mr. Kelly and myself

Senatorial District might have been saved to the Democracy.

In our State canvass, Mr. Kelly and myself appealed to the Democracy throughout the State to purify the party, to rid itself of the corrupt and corrupting influences in State conventions, of "Tildenism" and "Robinsonism." We have performed our work and done our duty to the party of the State and the nation, and it new remains with you to do your duty to Tammany Hall and the Democracy of this city by removing from your organization all traffickers in nominations, frauds, and traitors. There are more "O'Callaghans" in your organization than the "Squirsen Kinsella" blatherskite of the Nineteenth Assembly District. The treacherous defeat of Assemblymen in other districts, of Aldermen, and of your county ticket, aftest this fact. Your Committee on Organization must for the next year reform this, or the preside of Tammany Hall and its organization will be gone forever.

must for the next year reform this, or the prestige of Tammany Hall and its organization will be gone forever.

I rejuctantly consented to be the regular candidate of your organization to kratify your leader, to assist it and him, and was cheated out of election by trachery. I suggest that Messre. Joseph McKvoy, Samuel P. Knapp, Thomas Fenton, Hossea B. Perkins, Peter Masterson, William E. McDonald, Hugh J. Grant, Anthony Fechan, and other able and honorable Democrats of the Nincteenth Assembly District, be given charge of it, making it, if honestly worked, one of the most reliable Democratic districts of this city.

John B. Haskin, New York, Nov. 29, 1879.

Gol. Gilon read the letter carefully, and then passed it to his colleague, ex-Alderman Michael Thomey. The ex-Alderman read until he came to the words "stall" and "heelers." Then he throw the paper on the table, saying: "Mr. Chairman, I don't understand political slant." Thereupon the two committeemen put their heads together, and for live minutes canversed in whispers, to the annoyance of Mr. O'Callaghan's followers, who expressed in audible tones their eagerness to have the trial go on. At length the Committee decided to hear more testimony, and not to heed the ex-Tuscarora's instructions to expel the O'Callaghan.

Hugh J. Grant was the Brest witness. He said that on election day Mr. O'Callagna's followers carried "straight" tickets in one pocket and "crooked" ballots in another, and he was sure that all the men who took their ballots without looking at them voted the "crooked" ticket. Thomas Merrigan and Samuel Knapp knew that Mr. O'Callaghan's counsel opened the case by calling to the witness stand ex-Assemblyman Germain Hauschel. The ex-Assemblyman said that rook only Mr. O'Callaghan's counsel opened the case by calling to the witness stand ex-Assemblyman said that rook only Mr. O'Callaghan's counsel opened the case by calling to the witness stand ex-Assemblyman as in the control of the propertical country and country and country and country and countr

Mr. O'Callaghan's counsel opened the case by calling to the witness stand ex-Assemblyman said that not only Mr. O'Callaghan, but all his followers were loyal to Tammany on election day, and worked the straight fields from their boxes. As the witness resumed his seat, Mr. O'Callaghan looked at his necusers and smiled defaulty, and one of his followers said in a loud tone; "Assimblyman, ye spoke well for the deestrick," Other friends of Mr. O'Callaghan repeated Mr. Hauschel's story, and then the Committee adjourned.

Heavy Verdict Against a British Vessel. BALTIMORE, Nov. 29.-United States Commissioner Rogers has made up his report for the United States Court of the amount due the libellants in the case of Maturin Oilbert & Sons against the British ship tie of Materin Gilbert & Sons against the British ship deorge Boll, for collision with the French brig Briha off the lanks of Newtoundland in 1878. The Briha was rundown with the loss of her catch of shot and equit barrels of sod liver off. The case was tried in the United States District Court of Baitimore, and after a decree for Gilbert & Sons owners at the Briha, and the salings, who less their cloth lost, &c. it was referred to the Commissioners to take testimony and report the losses and what each fibeliant was conflict to as his share. He finds the total value of the vessel and outh, her catch off it is not die seamen's effects, to be \$16,000 at the smooth Gilbert & Sons were entitled to \$10,000 and to officers and crew of the Briha, twenty-one persons, to the balance.

The Rior Beibery Cases.

THE LYNCHING AT LEADVILLE. Full Particulars of the Hanging of Two Offenders, One of them a Boy.

At half past 10 o'clock this morning the slumbers of the watchers of the jail were disturbed by a knocking at the door, and, as the Deputy Sheriffs have free entrance and exit a any time, the door, was soon opened. The first

turbed by a knocking at the door, and, as the Deputy Sheriffs have free enfrance and exit at any time, the door was soon opened. The first man who stepped inside was Under Sheriff Watson, but with him came several men with pistols in their hands, pointed at the Sheriff's head. Nothing was left for the latter to do but to order the prison doors to be thrown open. Fifteen men went in with the Under Sheriff, but who they were no one knows except the members of the organization, as each of them wore a black mask.

There have been two men engaged as special officers at the jail ever since the bold-up and shooting scrape on Saturday night. The official certainly had no control of the matter, for the moment the door of the jail was opened every man was covered with a gun, and the slightest motion on their part would have resulted in instant death.

Deputy Sheriff Miller was lying on a seat outside of the cage, and the moment the vigilantes were in possession of the premises, three of them made a rush at him, and, before he could explain his official capacity, he was bound by a small cord and garged. They were just on the point of putting the rope around his neck when somebody raised courage enough to shout that the bound man was a Deputy Sheriff. This stopped the vigilantes for a minute, and, discovering their mistake, they turned around to see where the men were that were wanted. Deputy Miller was unbound and ungagged, and, without any apologies, covered by eyerai six-shooters and ordered not to move. In the mean time fifteen vigilantes had filled into the jail, and twenty more remained outside to project their ompanions, or come to their relief if

the deputy looked out to see what was to be seen. Not a single soul was in sight. The two men hung bytheir necks in the darkness, lighted only by the glare of a lantern. They had been gagged and bound by thick ropes by some one not a novice in the business, for the knots were fine specimens of a hangman's knot, and could not have been made more perfectly.

The men had hardly ceased to breathe a half hour before the news spread like widdlie that the two notorious characters—lot-jumpers and bold-ups—had met with a fate as just as it was horrible.

The man Ed Prodsham has for some time been notorious in this city in connection with lot-jumpling operations. He respected no title, whether obtained through a squatter or through a patent, but watched the rise in building lots with an eye to his peculiar business, and jumped such as suited him without reward to the rights or feelings of any one interested. Associated with a gang as desperate as himself, to which Marshai Kelly and others of the city officials were charged with belonging, for a long time he escaped nunishment. Well supplied with money, he was always ready to give ball when arrested for a breach of the law, and finally people began to ask themselves how long this desperado was to be permitted tog unpunished. This was the beginning of the end. He had ample time to make his escape, but with characteristic bravado he remained.

Frodsham came here about a year ago. The most that could be learned about him was that he was suspected of having been guilty of murder in Laramie. Wyoming, Cottonwood, Utah, and in the Black Hills. Last night he was arrested and lodged in jail on a criminal complaint, and as he was in the habit of immediately giving ball when arrested, he was not piaced in the care, and thus fell an easy victim to the power which had marked him for his misdeeds.

Very fittle is known about Patrick Stewart except that he was here last July, and was locked up for being drunk and disorderly. He has, however, travelied under a number of aliases, a feat w

wisdeeds.
Verr little is known about Patrick Siewart except that he was here last July, and was locked up for being drunk and disorderly. He has however, travelied under a number of aliases, a fact which is sufficient of itself to stamp him a member of the dangerous classes. He was only atout 20 years of age. Since he has been in juli he has been told that he was likely to be hanged, to which he made the reply: 'I don't care a G — d — whether I am or not.'' As he was taken out of juli this morning he said: 'I die an innoceat man.'' The hanging of these two men is but the legitimate result of the law-lessness and crime that have fun rampant in Leadville for several months past. The lot-jumning fraternity have hitherto escaped through legal technicalities, and by the liberal use of money, but the people who have been outraged sould not be put off by such means. Lynching is the last desperate remedy of an outraged dominantly, and the warning given last night must be heeded, for unless the crimes that have led to this terrible result are stopped, and that immediately, there are other beams that this bear similar ghastly trophies, and that in very few days.

A Toronto Theatre Burned.

TOBONTO, Nov. 29 .- At About 3:20 this morning a fire broke out in the Grand Opera House building, in Adelaide street. Caretskor Wright, his wife, and little inder and were unrecognizable. The building which is much was erected some years are by a stock common and it was supposed to be one of the fluest incarres on his continent. The loss on the building and contents is simulated at 200,000. Mr. Danies Baudmann the trageline, who was filling an encounter at the Grand Opera fouse, lot will his valuable costumes and appearance as, worth \$25,000. The building was insured for \$40,000.

Possibly to a Trance.

CINCINNATI, Nov. 29.-Dr. J. A. Browne, whose death near felicionaine last Monday while hunting has been reported, still lies unduried, atthough his trends and the Masona Odd Follows, and Kudahis of Pythias have twice assembled to buy him. His fields a pip arance, with his tare and his flushed and masses a relaxed, and the absence of any surn of decomposition, make his friends bestate to lay him in the grave. The case excited which interests the contract of the case excited and the contract of the case excited and the contract of the case excited and the case of the case of

Sonnet to the Letter II.

From Versitie Verse.

Hence! Indeeds assirate: odious "H" avaint!
Whose harsh matus herrows ever sear;
Whose harsh matus herrows ever sear;
Whose harsh matus herrows ever should have
Whose had bleard sevents tariass an who hear,
Whose had bleard sevents tariass an who hear,
Whose ask ward hin time grainer assails.
O. thumor hampers, hinders an harrangues.
As lamps he who applicates yellales.
As he who on a heapen halter hamps,
Uningny cit! athor his hearers heed.
And all his unheapent eloquence applied.
If once an "H" has utregime thousile.
Or absence heard, or head essiy ir jured,
Appliales is indeed, and booting hall inigents.
Humblied he halts, and his oration celes.

Charles Davies.

CHARLES DRURY

THE REV. DR. BUDINGTON'S DRATH. Falling a Victim to a Cancer that Baffled the

The Rev. Dr. William Ives Budington, for over twenty-five years the pastor of the Clinton Avenue Congregational Church in Brooklyn, died in his home at 422 Clermont avenue, Brooklyn, yesterday. He was a victim to a malignant cancer, from which he had been suf-fering for several years. The origin of this cancer, which for months had threatened his life, was mysterious. In July, 1877, when Dr. Eudington was in robust health, seeking rest at the Sulphur Springs of Virginia, a little sore, the centre of a stinging pain, appeared on the left side of his lower lip. As it grew more painful, the physicians compared it to a smoker's cancer, but Dr. Budington used no tobacco. When he returned to Brookiyn the clergyman sought his family physician, Dr. Joseph C. Hutchison, who advised a surgical operation. A V-shaped piece was cut from the lower lip, and the wound healed over. Dr. Budington thought he had recovered, and went about his work as usual. Eight months later the cancer reappeared on the inside of his lip, and began rapidly to grov malignant. It was again cut out by a surgeon's

the inside of his lip, and began rapidly to grow malignant. It was again cut out by a surgeon's knife, and Dr. Budington once more believed that he was free from the affliction. His health became impaired, and he went to Europe the next spring for reas and recuperation.

While he was in London, in July, 1878, the cancer reappeared on the outside of the lip. A council of eminent surgeons was held, and, by their advice, the whole of the old cicatrice, including the new cancer, was cut out, and the space was filled with skin drawn from the cheek. This, it was believed, was a triumph of surgery, and although the clergyman's face was disfigured, there was much pleasure amount his friends at the thought that he would be able to resume his work. When he returned home, however, the sharp pain returned in the lower part of the chin, and soon the cancer was on the surface again, daily crowing worse. Dr. Budington, losing all hope of speedy recover, and worried by the feeling that his church was without a pastor, sent his resignation to the church in October, 1878. It was tabled in the hope that the physicians might yet restore him to health, and was not acted upon until February last, when the church, with many expressions of regret, accepted it, but created for Dr. Budington the office of pastor eneritus, with a salary of \$2.500. To this position he was elected for life.

A fourth operation was performed in November, 1878, by Dr. Willard Parker and others, but in a short time the cancer again appeared. The aurgeons then contessed that they were poweries to kill the cancer. Dr. Budington be refreshed to rife.

Last spring Dr. Budington went to Philadeiphia to try the sarth cure of a physician there. This consisted of applying a pecutiar kind of earth to the cancer, but it did not prove aucessaful. Then he went to Boston, and was treated there for some weeks by Dr. William Thornton, who so checked the cancer by nourishing his patient that he doubtlees prolonged Dr. Budington's him more than temporary relief. On Ord. 24. D

was kept free from care, and when at home sat for the greater part of the time in a darkened room.

"For weeks," said a friend, yesterday," he has been passing his days in silent prayer. In all his affliction he never ceased to thank God for mercies done to him and to those in his care."

A week ago Dr. Budington began to fail rapidly. The cancer had attacked the throat. It was impossible to give him nourishment, and his strength began to leave him. He took to his hed, and for several days suffered intense pain. On Thanksgiving Day he exchanged the last looks of recognition with the members of his family. He became unconscious, and grew weaker every hour on Friday. Yesterday morning it was evident that he could not live longer than the day. He died while apparently asleep, at 11% A. M. His family, with the exception of Dr. William G. Budington, who is in Panama, surrounded his bed.

Dr. Budington was born in New Haven on April 25, 1815, and was graduated from Yale College in 1834. He pursued his theological studies in New Haven and Andover, leaving the seminary at the latter place in 1839. He became pastor of the First Church of Chartestown, Mass., in April, 1840, and remained there until September, 1854, when he removed to Philadelphin. He expected to take charge of a church there, but his young wife died and his plans were changed. In December of the Same year he accepted a call to the pulpit of the Clinton Avenue Congregational Church, Brooklyn, and one of the most influential in the country. Dr. Budington was Self-sacrifleing, studious, sympathetic, and at all times devoted to his people. When Plymouth Church dropped Theodore Tilton from its rolls, without a trial, Dr. Budington was the first to calithat church to account for its action, and, uniting with Dr. R. S. Storrs, called a council of empent elearymen, which in its result thanked Drs. Budington and Storrs for the action they had taken. Dr. Budington maintained to the last his disfavor for the Beecher school of Congregationalism. He resisted its enco

triotism and the Puint," delivered at the anniversary of the American Educational Society of Boston, in 1861, and his address on "The Bolations of Science to Bellgion," delivered at Yale College in 1871. It is believed that there will be postnumous publications that will add to Dr. Budington's literary reputation.

Dr. Budington was twice married. His first wife was the daughter of Dr. William Gunton of Washington. After her death be married Miss Elizabeth Wilson, daughter of the lawyer Jared Wilson of Canandaigua. His widow and six children, Mrs. Elizabeth Wilson, Mrs. Geo. Wilcox, Mrs. F. E. Dana, Dr. W. G. Budington. Thomas G. Budington, and John E. Budington, survive him. Dr. Budington's thea of death was that it was the beginning of life; and so his death notices have been printed, beginning with the words. Entered into Life." The funeral will be on Tuesday, from the Clinton Avenue Church, and Dr. Storrs will probably officiate.

MRS. BREIMANN'S PROULIAR SUIT.

Demanding \$80,000 Damages from a Woman

for Enticing Away her Husband. The General Term of the Brooklyn City Court yesterday affirmed the decision of Chief Judge Nelison overruling the demurrer interposed by the defendant in the singular suit of Mrs. Caroline Breimann against Mrs. Catharine Pansch. The suit, which is said to be the first of its kind in this State, is for damages for the less of the affection and support of a husband. The plaintiff was married twenty years ago to Johann Julius Hermann Bretmann. In October, 1877, Mrs. Breimann alleges, when she and her husband were living happily together in Poughkeepsie, Mrs. Paasch, the defendant, "well knowing that Johann Julius Hermann Breimann was her husband, and wrongfully contriving and intending to injure the plaintiff and deprive her of her husband's comfort, protection, society, aid, and support, while the plaintiff was temporarily absent from her home, will ally, wickedly, and midiciously goined the affection of said Breimann, and sought to persuade and entire him, by offers of money, a comfortable home, and other siluring promises, to leave her without support and to go with the defendant to her home in Brookiyn."

The plaintiff further alleges that by letters and otherwise Mrs. Passeh inducest Breimann to leave his wife without support, and to go to her home in Brooklyn, where he has since been harbored and detained signing the with the defendant. Mrs. Breimann demands \$20,000 daunges.

The plaintiff's course, Mr. M. L. Towns in triving and intending to injure the plaintiff and

and has been living unlawfully with the defendant. Mrs. Breimann demands \$20,000 damages.

The plaintiff's counsel, Mr. M. L. Towns, in opposing the demurrer before the General Term, contended that married women can such alone without joining their busbands in actions for torts and injuries to the person, and that the active principle of the suit, the loss of conjugal seciety, does not give a cause of action to the husband alone, but is a loss which the law may recognize as pertaining to the wife as well as to the husband. Touching the novelty of the suit, the counsel acres that that should not weigh against it, adding that, "with the advancing state of seciety, new questions are continually arising for decision, and the couris adapt the practice and course of proceedings to the existing condition of things, instead of adhering to forms and rules which were established under different circumstances; and they do not decline the enforcement of rights or the aministration of instace because there is no remedy according to the old forms of law."

The Central Park Laborrer, Thanks.

The laborers employed in the Central Park at a meeting in Lincoln Hall, in Fourth avenue, on Fri-ias evening desiring to thank those who had had funds resolutions declaring. That we recognize in the Hon-Samuel Conover a sincers (riend of the workingmen of New York, and one descripts their confed support all times. Dat we also desire to thank Senator E. Cesque for his timely letter on the same subject, which we be here hardened materially the action of the Hoard of Estimate and Apportuning that we pledge to him also our confisional hearty support at all times."

The Fort Adams Homicide.

Newpour, Nov. 29.-It has been ordered that Corporal Nucleoison shall be turned over to the civil au therities for trial. He was arrested two weeks age on majorition of bayanc caused the death of Private Koop at Fort Adam, who was found in a divise condition in a cis-ter, the cover of which had been placed so as to close the opening.

CLEVER THIEVES AT WORK

MOVING A SAFE AND SUBSTITUTING A COPY MADE OF MUSLIN.

How the Rubber Boots of a Policeman Led to the Discovery of the Work of Profes-sional Househreakers—The Thieves Escape,

At a few minutes before 3 o'clock yesterday morning, Policeman Vail of the Oak street station walked slong the south side of Romeveit street, close to South street. He wore his storm clothing and his rubber boots, and the noise of the wind and the rain drowned the noise of his footsteps. Ahead of him, on the southeast corner of Roosevelt and South streets, he saw a man standing beneath an umbreila, The policeman so often sees people standing just there, to wait for the Williamsburgh boats, or to meet passengers by those bonts, that he paid no heed to the lounger. The man on the corner did not hear the policeman until he was but a few feet away, and when he did see him he started and all but jumped with surprise. Policeman Vali stepped to one side to look at the man, and the man ran down South street.

The policeman suspected that this man had been acting as a lookout for burglars. The large and busy drinking saloon kept by Fisher & Hedeman occupies the corner. The store was closed and apparently deserted. It has a large safe behind one of the Roosevelt street windows. The window curtain is always pulled up, and a light is left burning near by, in order to protect this safe. The policeman had passed the window half an hour earlier, and had seen nothing irregular in or around the store. After the corner lounger ran away, the policeman sprang to the window, and as he approached i he saw the bent figure of a man moving, hat in hand, across the barroom floor. The light in

sprang to the window, and as he approached it he saw the bent figure of a man moving, hat in hand, across the barroom floor. The light in the barroom shone upon the man's face, and showed it to be that of a middle-aged large-featured, dark-haired man, with bushy and long whiskers. The man had been crouching by the side of a safe that looked like the safe that had stood for years in that place. The polleesman ran from window to door and door to window on the South sirrest and Ecosavell street sides of the store. All were fastened, Then he called for help by rapping with his club on the flags, Palicemen Cortinader and Gardner came, and Albert Smith, a truckman looked out of a window overhead and asked what was the matter. Smith woke Mr. Hedeman, one of the proprietors of the saloon, who sleeps in the building, and he opened one of the street doors and admitted one of the policemen, while others guarded the neighboring streets. In the centre of the space between the window and the bar stood a safe that looked exactly like the safe by the window. Closer examination showed that the safe in the window had been rolled out from its place, while the bogus safe, which was of exactly the shape, size, and appearance of the true safe, had been set up by the window as of exactly the shape, size, and appearance of the true safe, had been set up by the window is deceive passers by.

A few burglars' tools of the coetilest kind were found on a chair in the rear saloon, wrapped in a woman's cotton apron and tied up with the apron strings. A great steel jimmy in three pieces, and some flael-wought atted drill were the principal tools in the kit. The door of this rear room gave the burglars admitsnee, It was restened by two heavy bolts, but the bolts, and had thus uniastened the door.

It was evident that they had but ust entered the saloon when the policeman discovered their presence. They had moved the real safe five feetand put the sham safe in its places, but they had not bear the weight of a man's hand, yet is looked more like

THE MILITARY FAIR.

some of the Uncertainties of Fortune-The Profits Thus Far Figured at \$125,000.

The second week of the new armory falt of the Seventh Regiment closed last evening. mory was brilliant. Upon the floor was a crush of men and women in costly attire. The galleries were densely filled, and there was a double array of attendants within the booths. Grafulla's full military band played concert airs. At 8 o'clock the Old Guard, in full unitorm, and under the command of Major McLean, marched into the armory. The guard at the Park ave-

nue entrance turned out and saluted, and Col.

into the armory. The guard at the rars avenue entrance turned out and saluted, and Col. Clark and members of his stoff received the war-worn veterans of Broad street. The Guard was distanted within the entrance.

The uncertainties of a follery were considenously exemptified in the drawing of the \$5.000 diamond stheme of the Sixth Company. Sergeant Robert Dinwiddle, Jr., of the Fourt Company, bought seventeen tickets. A friend called upon him in business hours and expressed regret that he had been unable to get to the fair to buy a chance in the sicheme. Sergeant Dinwiddle took out his hoard of tickets, and kindly gave his friend one of them. At the drawing, on the following evening, this ticket was the winner of the third prize, a pair of valuable solitaire diamond earrings. A school-boy won the necklare, the first prize, for which so many lady visitors and attendants at the booths sighed. Another instance of the mappropriateness of lottery lack was the winning of the blue satin hung, lace-trimined eraile, fill a haby princess, by a well-known havyer, who, though he had been married eleven vess, is childless. He was informed of his good nex late on Friday evening. The run was fulled at which the cradle was displayed, and asked that it be sent home at oneo. The lade in charge tool him that the rain would spoil he

at which the cradle was displayed, and asked that it be sent home at once. The body in charge told him that the rain would specified delicate fittings of the cradle, but he bed to his as request. This errolle is a good angury madam," he added, and I want to have lathous as soon as possible."

The financial success of the second wack of the fair is alleved to have far exceeded that the first. The attendance and the receipts at the doors have daily increased in the past week. It is probable that the receipts have risen in several days to at least \$25 \text{ (see North The and the receipts from the booths and various places denormal manner. Including the resultment, because the sales amount to \$1,000 a day, are considered the sales amount to \$1,000 a day, are considered the sales amount to \$1,000 a day, are considered the sales amount to \$1,000 a day, are considered to say that the money returns of last thus far at fully \$125,000. Every effect make in made to add to the attractors so that the coning week may increase this sum to the desired amount, \$200,000.

MERE MINITON.

A fair for the benefit of Bi. Agues Church is to be given next week.

Gen. B. P. Bullard of Saratora Springs has epond a law office at 7 Nassau st., with A. W. Spell. The N.w Jersey State Fourty Existing Legis of Wednesday at Newark, continuing exister.

Sampel Champion of Berlin, N.J. was reashed to be the first tree failing upon this while he was at were in the whole. Excise Commissioners Morrison and Merkle will be fried to morrow in the Court of Oper and formular se-ore distinct Francis.

Riker Post, 52, G. A. R., will be distinct to another Court Flor, in and of the post resident mad, in some flore Assembly Bosons on the 10th of December. Hours in the 10th in D-center.

The payment of taxes is to be been in Proximal Statement of A rights on each first rights had will be made to those paying on the clay.

The Jersey City Board or Education bearing the sources of the teachers and time by a New Proximal Statement of the limited appropriation made its no Board of Parance The Broadyn, Platfork and Come Lead Relief 35 and \$5,000 for the \$5,000 passenger at the year strike \$6,000 passenger at the year strike \$6,000 passenger \$15,000 passenger \$25,000 passenger \$15,000 passenger \$25,000 passenger \$15,000 passenger \$1 Thirty two bulliures were for orbid to the old by the teaming with halbidities. Sent 624, Assenin File 221, File month of Swempler, 1812, there were but to be received with bulliur as \$4.250.004. The New York *moking submod will open this wisk, ration 20. Count fortill. The classic counts are consistent to the control of The first annual winter cames or the furnit with A ...